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4                   UNITED STATES DISTRICT COURT  
5                   WESTERN DISTRICT OF WASHINGTON  
6                   AT TACOMA

7 RAI A. GOULSBY,

8                   Plaintiff,

9                   v.

10 DOUG WADDINGTON, *et al.*,

11                   Defendants.

12                   Case No. 07-5139 RBL/KLS

13                   ORDER GRANTING DEFENDANTS'  
14                   MOTION TO STAY DISCOVERY

15                  Before the Court is Defendants' motion to stay discovery pending the Court's resolution of  
16 Defendants' motion to dismiss. (Dkt. # 19). For the reasons stated below, the Court finds that the  
17 motion should be granted.

18                   **PROCEDURAL BACKGROUND**

19                  On November 30, 2007, Plaintiff filed a complaint alleging that he was unlawfully detained  
20 past his earned early release date of April 4, 2003. (Dkt. # 13). Presently pending before the Court  
21 is Defendants' motion to dismiss on grounds that Plaintiff's claim is barred by Washington's three  
22 year statute of limitations and by the doctrine of res judicata as Plaintiff brought an identical action  
23 previously dismissed in Grays Harbor Superior Court. (Dkt. # 19).

24                   **DISCUSSION**

25                  The court has broad discretionary powers to control discovery. *Little v. City of Seattle*, 863  
26 F.2d 681, 685 (9<sup>th</sup> Cir. 1988). Upon showing of good cause, the court may deny or limit discovery.  
27 Fed. R. Civ. P. 26(c). A court may relieve a party of the burdens of discovery while a dispositive

28 ORDER - 1

1 motion is pending. *DiMartini v. Ferrin*, 889 F.2d 922 (9<sup>th</sup> Cir. 1989), amended at 906 F.2d 465 (9<sup>th</sup>  
2 Cir. 1990) *Rae v. Union Bank*, 725 F.2d 478 (9<sup>th</sup> Cir. 1984).

3 Given the early stages of this litigation, a stay is warranted while the Court determines the  
4 threshold issues of whether Plaintiff's claims are barred by the statute of limitations and/or the  
5 doctrine of res judiciata.

6 Accordingly, all discovery in this matter shall be **STAYED** pending further order of this  
7 Court.

8 DATED this 22nd day of April, 2008.

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11 Karen L. Strombom  
12 United States Magistrate Judge